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PART II-A

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATION

The 6th July, 2007.

No.RDA.11/2003/158.—It is hereby notified that the land within the boundaries described below measuring more or less 85 acres or 344131.00 Sq. mts. in the village of Mukhla which falls under the Elaka Nongbah, Jaintia Hills District, is likely to be needed for public purpose viz. for construction of setting up of BSF Headquarter at Mukhla.

BOUNDARIES

- North : National Highway 44.
Land of Smti. B. Nongbah.
Land of Shri Marbod.
- East : Land of Smti. Read Lamar.
Land of Smti. G. Lyngdoh.
- South : Land of Smti. G. Lyngdoh.
- West : Iru River.
Land of Smti. G. Lyngdoh.
Land of Smti. Phuh Lyngdoh.

This notification is made under Section 4 of the Land Acquisition Act, 1894 (Act I of 1894) as amended by the Amendment Act 68 of 1984 to all whom it may concerned.

Objection to the acquisition if any, filed under Section 5A by any person interested within the meaning of that Section within 30 (thirty) days from the date of publication of this notification in the Gazette of Meghalaya and in the two local newspapers whichever is later before the Deputy Commissioner/Collector, Jaintia Hills District will be considered.

Government are pleased to authorise the Officer for the time being to engage in the undertaking with their servants and workmen to enter upon and survey the land and do all other acts required or permitted by Sub-Section (2) of Section 4 of the Act.

I. G. MARBANIANG,
Joint Secretary to the Govt. of Meghalaya,
Revenue and Disaster Management Department.

MEGHALAYA BOARD OF WAKFS

The 13th June, 2007.

No.MSWB/HKMWE/2007.—The Meghalaya Board of Wakf has resolved in its meeting dated 4th June, 2006 vide Resolution No.1 to take over the Haji Kashimuddin Wakf Property (Rook Wood Cottage) by the powers vested upon it vide section 65(I) of the Wakf Act 1995 initially for a period of two years for the development of the said property and appoint Shri S. Ahmed (Retd. Secretary, P.W.D., Govt. of Meghalaya) as administrator with Shri Abu Saleh (Ex-MLA) and Shri A.J.N. Ahmed (Head, Dept. of Economics, St. Edmund's College, Retd.) to assist him.

N. NONGRUM,
Chief Executive Officer,
Meghalaya Board of Wakf,
Shillong.

PROCEEDINGS OF THE MEETINGS OF THE MEGHALAYA BOARD OF WAKFS HELD ON 4TH JUNE, 2006 IN THE PREMISES OF THE OFFICE OF THE MEGHALAYA BOARD OF WAKFS UNDER THE CHAIRMANSHIP OF THE JB C.Z. GHAFOOR.

MEMBERS PRESENT :-

1. JB C.Z. GHAFOOR, IPS., (RETD.) CHAIRMAN.
2. JB S. NONGRUM, MEMBER.
3. JB A. T. MONDAL, MEMBER
4. JB S. AHMED, MEMBER.
5. JB A. SALEH, MEMBER.
6. JB N. NONGRUM, C.E.O.

MEMBERS ABSENT :-

1. MRS. R. A. BEGUM, MEMBER WITH INTIMATION.
2. JB S. AMINUL ISLAM, MEMBER, WITHOUT INTIMATION.
3. JB K. KHAN, MEMBER, WITHOUT INTIMATION.

Jb Ahmed Hossain being the member has come to attend the meeting but in view of fact that he is an interested party in the subject for discussion he has been requested not to be present in the meeting by the Chairman.

The discussion of the meeting taken up was pending appointment of the Jt.Mutawalli along with Jb Ahmed Hossain pertaining to Haji Kashimuddin Mullah Wakf Estate, Shillong.

The Chief Executive Officer, with the permission of the Chairman laid before the members the issue of Jt. Mutawalliship where in the representation were submitted by Jb A. Hossain, Jb A. Rahman and Mrs. Lutfa Islam for discussion. The members considered the representative *vis a vis* the enquiry report of the Sub-Committee under the Chairmanship of S. Nongrum where it was stated that Jb A. Rahman should be the Jt. Mutawalli. In the earlier two meetings in the presence of Jb A. Hossain, Jb A. Rahman and Mrs. Lutfa Islam did not agree, they were given time but no agreement was reached.

The Board after threadbare discussion come to a conclusion that in view of the activities of Jb A. Rahman, as arrived in the earlier sub-committee report the members were unanimous that appointing Jb A. Rahman as the Jt Mutawalli would be detrimental to the interest of the Wakf Estate. Further allowing Jb A. Hossain to function as sole Mutawalli would be against the Wakf Deed. Further Jb A. Hossain has not function with transparency and has suppressed all through the accounts and income of the other Jt. Mutawalli since the death of Raunaq Ali the other Jt. Mutawalli. He has also rented out Wakf property without the Board

permission. All accounts have been submitted by him without the joint signature of the other Mutawalli. Also no account was rendered by him regarding the amount received by him from the Govt. for illegal sale of the Meghalaya Co-operative Bank property. The beneficiaries of the Wakf property has never received the amount as per the Wakf Nama. Surprisingly Jb A. Hossain did send a sum of Rs. 1,25,000/- to Mrs. Lutfa Islam in 2004 with no details as to how he came to this figure and why was he paying this amount suddenly. He has also not submitted any receipt showing that Mrs. Lutfa Islam has received the said amount from him. It is also to the information of the Board that the rents for the shops he has given is ridiculously low and inspite of the Board issueing notice to him to increase the rent and send the copies of the lease or tenancy agreements to the Board Jb A. Hossain has failed to carry out the direction of the Board till date.

In view of the facts stated above the members of the Board is of the unanimous opinion that the Board has to invoke Section 65 of the Wakf Act 1995 and assume direct management of the Haji Kashimuddin Mullah Wakf Estate for the period of two years until further order from the Board. Other than the facts stated above the Board has arrived at this decission of taking over the management of the Haji Kashimuddin Mullah Wakf Estate on satisfied of the following reason.

1. That the Wakf Nama says that there has to be Jt. Mutawalli in the Haji Kashimuddin Mullah Wakf Estate.
2. Jb Ahmed Hossain was joint Mutawalli with (L) Raunaq Ali till expired on 1997.
3. After the death of (L) Raunaq Ali Jb Ahmed Hossain continued to function as sole Mutawalli against the Wakf Nama and taking excuse of pending Court case never submitted the accounts with joint signature from the family line of the (L) Raunaq Ali.
4. It is only when Wakf Appeal case No.1/2001 between Asadur Rahman versus Jb Ahmed Hossain was disposed off on 23rd February, 2005 by the Wakf Tribunal at Shillong, where in the Hon'ble Tribunal observed that the Wakf Board has exclusive jurisdiction to appoint Mutawalli in Wakf Estate then only the Board had undertaken great efforts by having numbers of sitting to amicably settle the matter with the Mutawalli but no result could arrived. Board had to take decision to take over the property as there was no alternative left considering its responsibility to manage the Wakf property properly as its prime duty.
5. The Board also felt that it is not possible to fill up the vacancy created after death of (L) Raunaq Ali since the dispute with regard to, Jt. Mutawalli is pending for last 10 to 15 years and the Court in its wisdom vide order dated 23rd February, 2005 has finally referred the matter back to the Wakf Board. As stated above the heirs of (L) Raunaq Ali and Jb Ahmed Hossain have been both guilty of glaring mismanagement of Wakf property and also not carrying out the direction of the Wakf Board. This fact is also verified from numerous Sub-Committee reports available before the Board.
6. The Board on being satisfied of the above reason and considering the interest of a prime property in Shillong whose development which has been approved by Meghalaya Urban Development Authority has taken the decision to manage the Haji Kashimuddin Mullah Wakf Estate for the period of two years. Jb Ahmed Hossain is directed to hand over all the documents to the Wakf Board. The Board shall intimate its decision to the Wakf Tribunal Shillong as per its order dated 23rd February, 2005 in Wakf Appeal No. 1 of 2001. The Chief Executive Officer will immediately take necessary steps to publish the Notification in the Gazette of Govt. of Meghalaya about the taking over of the Haji Kashimuddin Mullah Wakf Estate as per the Wakf Act 1995.

The Board has decided to appoint Jb S. Ahmed as the Administrator to be assisted by Jb Abu Saleh and Jb Agha Ahmed.

N. NONGRUM,
Chief Executive Officer,
Meghalaya Board of Wakf,
Shillong.

The 5th July, 2007.

CORRIGENDUM

No.F(PR)-15/97/Pt.II/158.—The date of issue “Dated Shillong, the 1st October, 2006” appearing in this Department’s O. M. No.F(PR)-15/97/Pt.II/134, may please be read as “Dated Shillong, the 1st November, 2006”.

N. C. DEB,
Officer-on-Special Duty,
Finance Department,
Government of Meghalaya.

The 4th July, 2007.

No.IND.1/2005/11.—In the interest of the Public Service the Governor of Meghalaya is pleased to order temporarily transfer of one post of Project Manager, District Industries Centre, Ri-Bhoi District Nongpoh to Headquarter, Directorate of Industries, Shillong with effect from the date of entertainment of the post until further orders.

The post was created vide letter No.IND.96/93/12, dated 22nd December, 1993.

A. SOM,
Commissioner & Secretary to the Govt. of Meghalaya,
Industries Department.